

**IDAHO BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Conference Call Minutes of 3/8/2018**

**BOARD MEMBERS PRESENT:** Joshua R Thompson - Chair  
John H Williams  
Cathy Hart  
Mary E Leonard  
Zendi F Meharry

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Maurie Ellsworth, General Counsel  
Kellie LaBonte, Technical Records Specialist II

The meeting was called to order at 9:02 AM MST by Joshua R Thompson.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. The deadline to submit proposed law changes to the Governor's Office is mid-July 2018 and the deadline to submit proposed rule changes to the Governor's Office is mid-August 2018 for the 2019 Legislative Session.

Ms. Cory updated the Board on Senate Bill 1316. The bill would allow a respondent that is alleged to have violated the Board's laws and rules to recover attorney's fees if they are found to have not violated the Board's laws and rules. Some members of Boards served by the Bureau provided input to the sponsors and the bill is currently in the amending order in the Senate

Ms. Meharry made a motion to have Ms. Leonard named as the Bureau's contact to assist with this and other legislative issues. It was seconded by Ms. Hart. Motion carried.

**INTERIM COMMITTEE UPDATE**

Ms. Cory and Mr. Ellsworth updated the Board on the status of House Bill 623. The bill would create a central office of hearing officers and repeal and replace the Administrative Procedure Act. It would require appointment of hearing officers earlier in disciplinary cases and require that the case be overseen by a hearing officer. It would change evidentiary standards and the way hearing are conducted, making them more formal. It would eliminate the Board's ability to make or revise findings of fact of the hearing officer and expand the ability of a court to take more evidence and

potentially even hold a new trial of a case. All of these changes would increase costs of disciplinary proceedings.

Each Board served by the Bureau has designated a member to work with the Bureau and the designated members of other Boards served by the Bureau to follow these issues and to work with the Governor's Office and Legislators as the legislation is considered. As the Bureau receives additional information, it will be provided to the Board.

## **NEW BUSINESS**

### **CORRESPONDENCE**

The Board reviewed an e-mail from Ms. Genie Herrin with Medical Update, a continuing education provider. Ms. Herrin requested that a link for Medical Update be posted to the Board's website. The Board discussed the request and determined that independent course providers will not be listed on the Board's website. The Board recommended that Ms. Herrin contact the National Association of Long Term Care Administrator Boards (NAB) or the National Continuing Education Review Service (NCERS) to have her link posted on either of those websites.

The Board reviewed correspondence from a licensee to see if a course taken can be used for continuing education. Documentation of the course was reviewed. The Board approved the 2/14/18 course for one hour of continuing education.

The Board reviewed correspondence from Mr. Silberberg regarding continuing education. The Board directed Ms. LaBonte to reply and refer Mr. Silberberg to Board rule 200.01.

### **EXECUTIVE SESSION**

Ms. Meharry made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Hart. The vote was: Mr. Thompson, aye; Mr. Williams, aye; Ms. Hart, aye; Ms. Leonard, aye; and Ms. Meharry, aye. Motion carried.

Ms. Meharry left the call at 10:00 AM.

Ms. Hart made a motion to come out of executive session. It was seconded by Mr. Williams. The vote was: Mr. Thompson, aye; Mr. Williams, aye; Ms. Hart, aye; and Ms. Leonard, aye. Motion carried.

## **APPLICATIONS**

Ms. Hart made a motion to approve Linda Gallegos for Administrator in Training; Emilee Kulin to sit for examination; and Valerie Wood to sit for examination. It was seconded by Mr. Williams. Motion carried.

Ms. Hart made a motion to hold application 901157423 pending receipt of additional information. It was seconded by Ms. Leonard. Motion carried.

Ms. Hart made a motion allowing the Vice Chair to review and approve application materials and other items in the event that the Board Chair has a conflict of interest or is otherwise unavailable. It was seconded by Ms. Leonard. Motion carried.

## **NEXT MEETING**

The next face to face meeting is Friday, April 27, 2018 at 9:00 AM MDT. A conference call meeting is set for Friday, June 1, 2018 at 9:00 AM MDT.

Mr. Williams asked about the status of House Bill 409 which is the bill lowering the administrator in-training hours to 1,000. This bill is the product of discussion with the Board's subcommittee with Idaho Health Care Association members. The Chairman discussed this idea with the subcommittee and, given the timeframe for executive agencies to submit legislative ideas, IHCA agreed to carry the bill. Ms. Cory stated that it passed the House (with a vote of 67-1-2) and the Senate (with a vote of 35-0-0); and will be sent to the Governor's Office.

## **ADJOURNMENT**

Ms. Leonard made a motion to adjourn the meeting at 10:18 AM MST. It was seconded by Mr. Williams. Motion carried.

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Joshua R Thompson, Chair

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John H Williams

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Cathy Hart

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Mary E Leonard

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Zendi F Meharry

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Tana Cory, Bureau Chief